

25 September 1947

MEMORANDUM FOR THE CHIEF, BUDGET AND FINANCE BRANCH
Through: The Executive for Administration and Management
Subject: CIA Medical Services

The medical services of CIA as presently constituted appear to serve in a dual capacity. The authority and nature of duties of each are discussed separately below:

(1) The clinic is staffed with Army medical officers and enlisted men assigned to CIA by the War Department. Such assignment appears to be authorized by 10 U.S.C.A. 94, permitting assignment to "such duties as the interests of the service may demand". Section 96 of the same Title provides that medical officers shall attend the families of officers and soldiers free of charge "whenever practicable". It would appear to be clearly within the administrative authority of this Agency to determine that Army personnel and their families be treated at the clinic. This, however, is purely under War Department authorization, and the free service and attendance is an obligation imposed on the War Department by law. Consequently, in our opinion, there should be no obligation on the part of CIA to furnish services, supplies, or equipment to treat military personnel and their families.

(2) Public Law 658, 79th Congress, 2nd Session, approved 8 August 1946, authorizes agencies to establish health service programs which shall be limited to the treatment of on-the-job-illness and dental conditions requiring emergency attention, physical examinations, referral to private practitioners, and preventive programs. Such health programs are for the benefit of civilian employees of the agency concerned only and must have the approval of the Public Health Service. On 28 July 1947, the Public Health Service approved the existing temporary emergency health program for the fiscal year 1948 for budgetary purposes only. The two medical officers on duty have been designated as Public Health Officers for certain purposes. We have, therefore, a tentative and temporary approval for furnishing services, equipment, and supplies for civilian employees within the restrictions applied by Public Law 658. Of course, where facilities and services available under the civilian

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program can be used at no cost to CIA for the military program, they may be so used, but equipment or supplies designed solely for the military program may not legally be charged to the appropriations for the civilian program.

It is felt that administrative action should be taken to ensure a clear division of functions in the medical services to provide for proper procurement of supplies -- the one from the War Department and the other through purchase or other acquisition by CIA. Of course, there may be certain supplies or equipment of a medical nature required for the specialized operations of CIA which may be properly chargeable to its funds. These should be considered on an independent basis as they arise.

LAWRENCE R. HOUSTON
General Counsel

LRH:mbt